

1 TRAPANI

2 Q. Back in December of '06, were
3 you an operations manager at the Rego Park
4 location?

5 A. Yes.

6 Q. If you could just briefly
7 explain to me your duties and
8 responsibilities at that position?

9 A. Making sure that the inventory
10 was current. Customer service issues.

11 Q. Were you operations manager at
12 that location only or also an operations
13 manager to other locations?

14 A. Just that location.

15 Q. Did you have an immediate
16 supervisor back in December of '06?

17 A. Yes.

18 Q. Who was your immediate
19 supervisor?

20 A. I believe it was Mike Spell.

21 Q. S-P-E-L-L?

22 A. Yes.

23 Q. What was his position?

24 A. Store manager.

25 Q. Do you know if Mr. Spell is

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2 still employed by Circuit City?

3 A. He is not.

4 Q. Did you undergo any training to
5 become an operations manager at Circuit
6 City?

7 A. Yes.

8 Q. What type of training was that?

9 A. They sent us to the corporate
10 office in Virginia for about a week training
11 and then on-hand training.

12 Q. Was part of your duties to hire
13 personnel as well?

14 A. Yes.

15 Q. What about security personnel,
16 did you hire security personnel?

17 A. No.

18 Q. Who was responsible for hiring
19 security personnel back in '06?

20 A. I don't remember.

21 Q. Was it somebody from Circuit
22 City though?

23 A. Yes.

24 Q. Was it somebody higher up than
25 you?

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2 A. Yes.

3 Q. Would that be Mr. Spell?

4 A. No.

5 Q. What would be the title of the
6 person to hire security back in '06?

7 A. Loss prevention district
8 manager.

9 Q. Do you know who that was or any
10 of them in 2006?

11 MR. WHITTON: The manager or the
12 personnel?

13 Q. The loss prevention district
14 manager?

15 A. I believe it was Mark Camerot.

16 Q. Do you know how to spell that?

17 A. C-A-M-E-R-O-T.

18 Q. Do you know if Mr. Camerot is
19 still employed by Circuit City?

20 A. I believe so.

21 Q. Was he assigned the Rego park
22 store location or his job encompassed
23 different locations?

24 A. Many stores.

25 Q. Were you familiar with the Rego

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2 Park store back in December of '06?

3 A. Yes.

4 Q. Do you recall what your days
5 that you worked or shifts that you had back
6 in December of '06?

7 A. Most of the time it was
8 mornings.

9 Q. Would you arrive there before
10 the store opened to the general public?

11 A. Yes.

12 Q. What time would you normally
13 arrive?

14 A. Anywhere between 4:30 on.

15 Q. 4:30 in the morning?

16 A. Yes.

17 Q. What would your shift normally
18 go to?

19 A. It would all depend.

20 Q. Depend on what, if there were
21 issues to deal with, just the day of the
22 week, something else?

23 A. It would be depending on the
24 schedule and the day.

25 Q. Would you normally work Monday

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2 to Friday or something else?

3 A. It varied.

4 Q. Were you actually at the store
5 on December 28, 2006?

6 A. Yes.

7 Q. Do you have an independent
8 recollection of being there that day?

9 A. Yes.

10 Q. Do you recall what time you
11 started that day?

12 A. It had to be about 4:30, five
13 o'clock in the morning.

14 Q. When you started, was there any
15 other personnel with you from Circuit City?

16 A. Yes.

17 Q. Do you recall who that would be?

18 A. No.

19 Q. When you got there in the
20 morning, did you have to sign in, check in,
21 do something else to indicate that you were
22 there?

23 A. No.

24 Q. Did the other employees have to
25 check in, sign in or check with you to let

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2 you know that they were there when they got
3 there?

4 A. They would have to log into
5 their time sheet.

6 Q. Was their time sheet on a wall,
7 computer?

8 A. Computer.

9 Q. The store itself, is it part of
10 a mall?

11 A. Yes.

12 Q. Is there a name for that mall?

13 A. Rego Park Mall.

14 Q. To your knowledge, was that
15 store still there today?

16 A. Yes.

17 Q. The Rego Park Mall in December
18 of '06, do you remember how many stores
19 encompassed that mall about?

20 A. Five.

21 Q. About five?

22 A. Yes.

23 Q. It was on Queens Boulevard?

24 A. Yes.

25 Q. Was it in between two streets,

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2 two other streets, if it was on Queens
3 Boulevard do you know what the other streets
4 were?

5 A. No, I don't.

6 Q. Were there more than one floor
7 to this mall?

8 A. Yes.

9 Q. How many floors?

10 A. I believe it was three.

11 Q. Which floor was Circuit City on
12 back in December of '06?

13 A. The top.

14 Q. The third floor?

15 A. Yes.

16 Q. How many different entrances for
17 the public were there back in December of
18 '06?

19 A. Just one.

20 Q. Was that facing Queens Boulevard
21 or some other location?

22 A. I don't know.

23 Q. Was it an entrance that had, in
24 other words, you had to pull doors, doors
25 open by itself?

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2 A. Doors opened by itself.

3 Q. Automatic doors?

4 A. Yes.

5 Q. Would there be any other
6 entrances for the public to enter that
7 store?

8 A. No.

9 Q. What about entrances for
10 employees, separate entrance?

11 A. No, we all came through the
12 same one.

13 Q. The store, I'm just going to ask
14 you to describe the layout back in December
15 of '06, you are familiar with the layout?

16 A. Yes.

17 Q. When you walk in, is there a
18 store room, in other words, for merchandise,
19 other areas just for personnel, how you
20 would you describe it?

21 A. The showroom is where the
22 customers would be.

23 Q. Do you know how big of a
24 showroom it was?

25 A. No.

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2 Q. Would that encompass the whole
3 store, would you say the middle of the
4 store?

5 A. Yes, I would say.

6 Q. When you walk in, when you came
7 through the front entrance, what was to the
8 right as you walked in?

9 A. Customer service.

10 Q. Was that like a desk or kiosk?

11 A. It was a long table with
12 registers.

13 Q. Do you recall how many
14 registers, more than one?

15 A. Yes.

16 Q. To the right of that was there
17 anything, in other words, is the store
18 showroom, is it rectangular, square, some
19 other shape?

20 A. It looks like round, oval.

21 Q. Is there anything behind the
22 customer service to the right?

23 A. My office.

24 Q. Your office?

25 A. Yes.

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2 Q. Any other offices to the right?

3 A. Loss prevention.

4 Q. Is there, on a daily basis, is
5 there somebody from the loss prevention unit
6 at that store?

7 A. Generally.

8 Q. Do you recall that day if there
9 was somebody there?

10 A. There was.

11 Q. What was the name of that
12 person?

13 A. Daniel. I don't remember his
14 last name.

15 Q. Do you know if Daniel is still
16 employed by Circuit City?

17 A. He is not.

18 Q. Do you know what his position
19 was?

20 A. Loss prevention.

21 Q. Were there any other offices to
22 the right?

23 A. Yes.

24 Q. Whose offices?

25 A. The store manager, the general

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2 office, and the cash office.

3 Q. Who was the store manager on the
4 date of the incident, if you recall?

5 A. I believe it was Mike Spell.

6 Q. Do you recall if he was there
7 that day?

8 A. I would say he would have to be
9 because it was the holidays.

10 MR. WHITTON: Do you recall
11 either way?

12 THE WITNESS: I couldn't be a
13 hundred percent.

14 Q. Those offices, I would assume,
15 were on the outside of the showroom?

16 A. Yes.

17 Q. In other words, own separate
18 office you have to open a separate door to
19 get into?

20 A. Yes.

21 Q. The public couldn't get into?

22 A. No.

23 Q. Other than the front where you
24 said there is customer service, are there
25 other areas of the store where the customer

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2 service or cashier were?

3 A. On the floor.

4 Q. All over the floor?

5 A. Yes.

6 Q. Is there any designation of
7 where they are, in other words, such as
8 numbered aisles?

9 A. No, it would be in departments.

10 Q. There were many departments?

11 A. Yes.

12 Q. All electronics?

13 A. Yes.

14 Q. Was there any other customer
15 service area such as a long table maybe in
16 the back of the store?

17 A. No.

18 Q. Were there any of those customer
19 service, how would you describe them, each
20 department had them, had like a cashier?

21 A. Register, yes.

22 Q. How many different departments
23 were there?

24 A. Probably six.

25 Q. Do you recall which one like the

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2 name of them or where they were located in
3 the store?

4 A. There was technology, which was
5 computers.

6 Q. Where would that be?

7 A. That would be toward the back of
8 the store.

9 Q. Other than computers?

10 A. Imaging, which would be cameras.

11 Q. Where would they be?

12 A. That would be in front of them.

13 Q. In front of the computers?

14 A. Yes.

15 Q. Would that be toward the middle
16 of the store? I'm basing it on coming
17 through the front entrance.

18 A. It would be to the right.

19 Q. Camera would be to the right?

20 A. Yes.

21 Q. Computers would also be to the
22 right, but to the back?

23 A. Sort of in the back.

24 Q. Each one of those sections had
25 its own registers?

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2 A. Yes.

3 Q. What about the others, where
4 would the other ones be?

5 A. Road shop.

6 Q. Where would that be?

7 A. Toward the front of the store.

8 Q. Right, left, middle?

9 A. To the left of where you walk
10 in.

11 Q. What would that include, things
12 for the car?

13 A. Yes.

14 Q. Was there a TV section?

15 A. TV section.

16 Q. Where would that be?

17 A. Alongside the walls.

18 Q. On what side?

19 A. If you come in I believe it was
20 on the left side and toward the parameter.

21 Q. Around the showroom?

22 A. It would be around the showroom,
23 yes.

24 Q. Any other sections that you
25 recall?

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2 A. It would be called Merc, that
3 would be the middle area.

4 Q. Merc is general merchandise?

5 A. Yes.

6 Q. Each one would have their own
7 register?

8 A. Correct.

9 Q. Each one would have customer
10 service?

11 A. No.

12 Q. Customer service would be in the
13 front?

14 A. Correct.

15 Q. Do you recall what day of the
16 week this incident occurred on?

17 A. No.

18 Q. If I indicated to you it
19 happened on a Thursday, would that refresh
20 your recollection?

21 A. No.

22 Q. Do you recall if it was a
23 weekday as opposed to weekend?

24 A. No.

25 Q. Do you recall about what time

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2 the incident occurred?

3 A. No.

4 Q. Would I refresh your
5 recollection if I said it happened in the
6 afternoon?

7 A. No.

8 Q. Do you recall how many employees
9 from Circuit City were actually working on
10 that day?

11 A. No.

12 Q. Would there be a master list
13 that Circuit City would have to indicate who
14 was working that day?

15 A. Yes.

16 Q. Who would keep that, would that
17 be the store manager or somebody else?

18 A. That would be the operations
19 manager.

20 Q. Do you recall if there was
21 security personnel working on the date of
22 the incident?

23 A. Yes.

24 Q. Security personnel hired by
25 Circuit City?

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2 A. Yes.

3 Q. Are they Circuit City employees?

4 A. No.

5 Q. Do you know what company or
6 companies they are employees of?

7 A. No.

8 Q. Do you know who would know that,
9 would that be the store manager or someone
10 else?

11 A. That would be Circuit City.

12 Q. Were there any employees of
13 Circuit City that would act in a security
14 capacity on the day of the incident?

15 MR. WHITTON: Objection to the
16 form.

17 A. You mean loss prevention?

18 Q. Loss prevention, were there any
19 employees that worked in that department
20 other than the manager?

21 A. In what department?

22 Q. Like the loss prevention what
23 did they do specifically?

24 A. They would observe customers in
25 the store, and they were there primarily to

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2 protect the associate.

3 Q. Anything else?

4 A. And the merchandise.

5 Q. The loss prevention personnel,
6 are they employees of Circuit City?

7 A. Yes.

8 Q. On that day, do you recall if
9 there were any loss prevention personnel in
10 the store?

11 A. Daniel.

12 Q. What was his last name again?

13 A. I don't know.

14 Q. Were there any other loss
15 prevention employees at that store?

16 A. Not that I can remember.

17 Q. Did he wear some type of uniform
18 that was different than the regular
19 employee?

20 A. Regular clothes.

21 Q. Did the Circuit City personnel
22 have a specific uniform to wear?

23 A. Yes.

24 Q. If you could just briefly
25 describe what that outfit would be?

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2 A. It would be black pants, khaki
3 pants and I believe at that time they were
4 wearing red shirts.

5 Q. Did they also have name tags?

6 A. Yes.

7 Q. Did you also have to wear that
8 uniform?

9 A. I can't remember if the manager
10 had to wear that one or we had a specific
11 one.

12 Q. You indicated Daniel didn't have
13 to wear that outfit either.

14 A. No.

15 Q. He didn't have any other special
16 uniform to wear?

17 A. No.

18 Q. Was there surveillance cameras
19 in that store?

20 A. Yes.

21 Q. Was Daniel in the office like
22 was his job looking at like film or would he
23 walk around, what would he do, if you know?

24 MR. WHITTON: Objection to the
25 form. If you know.